

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARY HELEN SHORT,

Plaintiff,

v.

No. 13-cv-0213 SMV/CG

DE BACA CNTY. BD. OF COMM'RS, et al.,

Defendants.

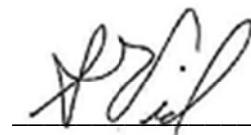
ORDER QUASHING ORDER TO SHOW CAUSE

THIS MATTER is before the Court on the Court's Order to Show Cause [Doc. 5], filed July 5, 2013, and Plaintiff's Response [Doc. 6] thereto, filed July 26, 2013. Plaintiff states that after diligently attempting to locate Defendant Harris she has finally located him. Response [Doc. 6] at 1. She states further that Defendant Harris was served with the incorrect summons, and that she will soon serve Defendant Harris with the appropriate summons from this Court. *Id.* at 2. The Court FINDS that good cause has been shown for Plaintiff's failure to serve Defendant Harris within the 120-day period, and will quash its Order to Show Cause [Doc. 5].

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Court's Order to Show Cause [Doc. 5] is **QUASHED**.

IT IS FURTHER ORDERED that Plaintiff shall have 21 days in which to serve Defendant Harris or show good cause why her claims against Defendant Harris should not be dismissed without prejudice for failure to comply with the service provision of Rule 4(m).

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge